

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA**
CHARLOTTESVILLE DIVISION

JAMES E. SISK, JR.,

Plaintiff,

v.

JAMES H. BRANCH, JR.

Defendant.

CIVIL ACTION NO. 3:11-CV-11

ORDER

JUDGE NORMAN K. MOON

This matter is before the court upon consideration of Defendant's motion to dismiss with prejudice. (docket no. 6). For the reasons set forth in the accompanying memorandum opinion, the motion is hereby GRANTED IN PART. Specifically, Plaintiff's claim under 42 U.S.C. § 1983 is DISMISSED with prejudice. However, as I decline to address the remaining state law claims, the case is REMANDED to the Circuit Court for Culpeper County for appropriate disposition, and stricken from the active docket of this court.

It is so ORDERED.

The Clerk of the of the Court is directed to send a certified copy of this order and the accompanying opinion to all counsel of record, and to the Clerk of the Circuit Court for Culpeper County.

Entered this 4th day of May, 2011.



NORMAN K. MOON
UNITED STATES DISTRICT JUDGE